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PTO/SB/21 (02-04)

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/737,047
	Filing Date	12/16/2003
	First Named Inventor	Michael J. Tomchak
	Art Unit	3618
	Examiner Name	SCHRIVER II, JAMES A.
Total Number of Pages in This Submission	Attorney Docket Number	2888903-00068-DIV

ENCLOSURES (Check all that apply)		
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<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
<b>SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT</b>		
Firm or Individual name	BRIJ K. AGARWAL ECKERT SEAMANS CHERIN & MELLOTT, LLC U.S. STEEL TOWER 44THFL, PITTSBURGH PA 15219	
Signature		
Date	August 23, 2004	

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Typed or printed name	BRIJ K. AGARWAL		
Signature		Date	August 23, 2004

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of	: Examiner: James A. Shriver II
	:
MICHAEL J. TOMCHAK ET AL.	: COLLAPSIBLE WHEELBARROW
	: AND ASSOCIATED METHOD
	:
Serial Number: 10/737,047	: Group Art Unit: 3618
	:
Filed On: December 16, 2003	: Attorney Docket 288903-00068-DIV

RESPONSE TO RESTRICTION REQUIREMENT

August 23, 2004

Eckert Seamans Cherin & Mellott, LLC  
600 Grant Street, 44<sup>th</sup> Floor  
Pittsburgh, PA 15219

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

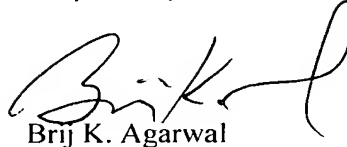
In the Office Action dated July 22, 2004, the Examiner indicated that Claims 1-44 were pending in the instant Application and imposed a Restriction Requirement on said Claims 1-44. Specifically, the Examiner adopted the position that Claims 1-16 (Group I) were drawn to a first invention, and that Claims 17-44 (Group II) were drawn to a second, distinct invention.

It is submitted, however, that only Claims 1-16 are pending in the instant Application. In the Preliminary Amendment filed December 16, 2003, and contemporaneously with the filing of the instant Application, Claims 17-44 were listed as being canceled. A copy of the Preliminary Amendment is provided herewith.

It is further noted that on July 28, 2004, Applicants filed a Second Preliminary Amendment in which Claims 1-16 remained pending and Claims 17-44 remained canceled. A courtesy copy of the Second Preliminary Amendment is also provided herewith.

It is thus submitted that the instant Restriction Requirement is improvidently imposed. Withdrawal of the Restriction Requirement is thus respectfully requested. If any matters remain unresolved, a telephone call to the undersigned would be welcomed.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Brij K. Agarwal', with a stylized, flowing script.

Brij K. Agarwal  
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Attorney for Applicants

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